

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 2ND APRIL 2007 / 12TH CHAITHRA 1929

RPFC.No. 159 of 2007()

AGAINST THE ORDER DATED 26/02/2007 IN CMP 1797/2006 IN
MC.104/2006 of FAMILY COURT, MALAPPURAM
.....

REVISION PETITIONER/PETITIONER/RESPONDENT

SAITHALAVI, REPRESENTED BY HIS POWER OF
ATTORNEY HOLDER, ABDUL HAKEEM,
S/O KOOTTAKADAVAN AHAMMEDKUTTY,
PARAMBIL PEEDIKA, MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS: RESPONDENTS/PETITIONERS

1. PATHUMMU, D/O ERANJIKKAL MADARI HAJI,
MUNNIYUR, A.C.BAZAR, MALAPPURAM DISTRICT.
2. THASLEENA-MINOR-THROUGH HER MOTHER -
GUARDIAN 1ST RESPONDENT.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS REV.PETITION(FAMILY COURT) HAVING COME UP FOR ADMISSION
ON 02/04/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R.UDAYABHANU, J

R.P.(F.C.)No.159 of 2007

Dated this the 2nd day of April, 2007

O R D E R

The revision petitioner is the counter petitioner in M.C.No.104/06 which was disposed of exparte with respect to the maintenance of the second petitioner child and ordered to be paid Rs.2,500/- per month from the date of petition. The revision petitioner who was working abroad in Jiddah in the Middle East filed an application to set aside the ex-parte order through his power of attorney holder. The court below dismissed the same.

2. In the circumstances, I find that it is only proper to permit the petitioner herein to adduce the evidence. The court below is directed to dispose of the matter on merits. In the circumstances, the order of the court below is set aside on condition that the revision petitioner deposits the entire arrears of maintenance at the rate of Rs.1,500/- per month within one month from today onwards and continue to deposit at the above rate. The court below shall on compliance of the above order

take the matter into file and permit the parties to adduce any further evidence if they so desire and dispose of the matter on merits. The revision petitioner shall appear before the court below on 24.4.2007.

The revision petition is disposed of as above.

**K.R.UDAYABHANU,
JUDGE**

csl